IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Atsushi Okawa, et al.

Examiner:

Unassigned

Serial No:

To be assigned

Art Unit:

Unassigned

Filed:

Herewith

Docket:

17040

For:

OPTICAL PROBE DEVICE

Dated:

September 22, 2003

Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

CLAIM OF PRIORITY

Sir:

Applicants in the above-identified application hereby claim the right of priority in connection with Title 35 U.S.C. § 119 and in support thereof, will submit in due course a certified copy of Japanese Patent Application No. 2002-279905 filed September 25, 2002; 2002-290410 filed October 2, 2002; and 2003-317380 filed September 9, 2003.

Respectfully submitted,

Thomas Spinelli

Registration No.: 39,533

Scully, Scott, Murphy & Presser 400 Garden City Plaza Garden City, New York 11530 (516) 742-4343 TS:cm

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mailing Label No.: EV267608045US

Date of Deposit: September 22, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Mail Stop Patent Application, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: September 22, 2003

Thomas Spinelli